

Nader Opens Fire on Volkswagen

By Jack Anderson

Ralph Nader has accused Volkswagen of concealing evidence from the public that the German "love bugs" are "potential firetraps."

In an unpublished complaint to Highway Safety Administrator Doug Toms, the consumer advocate charges that 1961-67 VWs have faulty fuel tank caps that dislodge and spray out gas.

There are 2,215,000 of these models on U.S. highways.

Even as Nader's complaint was mailed, his Center for Auto Safety was secretly finishing a major report highly critical of VWs.

The report, with hundreds of pages of backup documents, cites five safety shortcomings in VWs. Besides the gas cap charge, the report tells of door latch failures, roll-overs, faulty front seat anchoring and limited passenger protection.

Nader's letter to Toms, a prelude to the sledgehammer report, recalls a 1968-'70 study of VW gas tank tops by the Federal Highway Traffic Safety Administration. The government closed the investigation without ordering VW to provide the owners of older VWs with new self-sealing caps.

Nader charges that VW "concealed from the Department of Transportation during the course of this investiga-

tion relevant and damaging VW tests in flagrant disregard of repeated information requests."

Calling upon Toms to reopen the investigation, Nader inquired whether the "concealment of this tested data" violates federal criminal statutes.

Five tests run by Volkswagen in 1966-'67 show that its gas tank caps "dislodged" with some spillage at speeds from 30.6 to 32.6 miles per hour. The tests came to light last February in a court deposition by VW test engineer Ulrich Seiffert.

Nader said Seiffert's deposition "clearly indicates that Volkswagen deliberately withheld information to mislead (the government) and VW owners."

"Not only was Volkswagen able to deceive you, investigators," Nader added crisply, "but the ridiculous tests conducted by (the government) defy explanation." He said the tests were woefully inadequate.

FOOTNOTE: Volkswagen vehemently denied its love bugs suffer from the five alleged defects cited in the still-secret Nader report. A VW spokesman said the firm had detailed studies to back up their denials. As for the "concealment charges," the spokesman said that "Volkswagen has always dealt with the public and with the government in good faith."

Berrigan Letters

Justice Department lawyers, now preparing for the trial of the brothers Berrigan, are debating whether to introduce some unpublished love letters between Father Phillip Berrigan and Sister Elizabeth McAlister.

The letters might make titillating newspaper copy but would add little to the case against Father Berrigan and his ecclesiastical conspirators. They are charged with plotting to kidnap White House adviser Henry Kissinger.

Privately, the government lawyers consider the indictment so full of holes that a conviction is impossible. It was patched together after FBI chief J. Edgar Hoover tipped the government's hand on the case and Attorney General John Mitchell had to make good on Hoover's goof.

The indictment was so poorly drawn that a new one was shoved through a grand jury, laying emphasis on the Berrigans' alleged rifling of draft records. There is a better chance, the attorneys feel, to make this charge stick.

They are wary about the testimony of their key witness, Boyd F. Douglas, the convict-informer who pretended to join the Berrigan band and then turned them in. The lawyers consider him an unsympathetic figure who will do them little good with the jury.

Washington Whirl

LBJ's Candidate—We reported on Jan. 4 that ex-President Lyndon Johnson was disenchanted with the leading Democratic presidential hopefuls and was threatening privately to back President Nixon for re-election in 1972. As part of the maneuver, we reported, LBJ might try to make a deal with Mr. Nixon to take John Connally, a Johnson protégé, as running mate. Down on the long candidates, the former President has grumbled, the only one he can abide is Sen. Henry Jackson (D-Wash.), otherwise, Mr. Nixon still would be a more acceptable alternative.

Bailey's Background—F. Lee Bailey, the fiery defender of Capt. Ernest Medina against My Lai massacre charges, is best known for such headline civilian cases as Sam Sheppard, the Boston Strangler and the Plymouth mail robbery. But actually, Bailey's first legal work was in military, not civilian trials. A fighter pilot at Cherry Point, N.C., he doubled as his group's legal officer in 1955 though he wasn't yet a lawyer. Using borrowed law books, he handled more than 200 cases, some as prosecutor, some as defense counsel. They ranged from spectacular moonshine charges to complicated insanity proceedings.

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